

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

SHARON A. DANDY,  
On behalf of herself and all others  
similarly situated,

Plaintiff,

vs.

CIVIL NO. 08-1027 JCH/GBW

WILMINGTON FINANCE, INC.,

Defendant.

**ORDER GRANTING IN PART AND DENYING IN PART**  
**PLAINTIFF'S SECOND MOTION TO COMPEL**

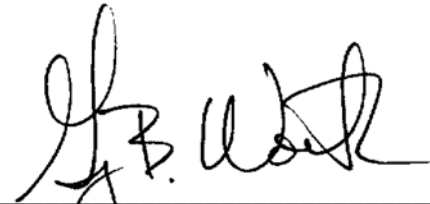
THIS MATTER came before the Court on the Plaintiff's Second Motion to Compel, filed on September 18, 2009. *Doc. 63*. Briefing on the matter was completed on October 26, 2009. *Doc. 79*.

Plaintiff moved to compel complete responses to the following discovery requests by a date certain: Requests for Production Nos. 20, 22, 23, 27, and 28. Defendant's subsequent clarification of its responses has resolved the dispute regarding Requests for Production Nos. 20 and 22. *Doc. 71, 78*. Consequently, the Motion to Compel as to Requests for Production Nos. 20 and 22 is denied as moot.

While it is unclear from the parties' submissions on this Motion, it appears that Defendant's production of documents pursuant to Requests for Production 23, 27 and 28 is delayed only awaiting the entry of a Protective Order from the Court. The Protective

Order has now been entered. *Doc. 87, 88.* Consequently, Defendant shall produce the documents<sup>1</sup> pursuant to those Requests within 21 days of the date of this Order.

IT IS HEREBY ORDERED that Defendant's Second Motion to Compel is granted in part and denied in part as described above.

A handwritten signature in black ink, appearing to read 'G.B. Wormuth', is written over a horizontal line. The signature is enclosed within a rectangular box.

Gregory B. Wormuth  
United States Magistrate Judge

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<sup>1</sup> If necessary, privilege disputes will be addressed when Defendant has produced an appropriate privilege log and Plaintiff has had the opportunity present her waiver argument.